

THIRTY-SECOND DAY.

(Wednesday, March 3, 1937)

The Senate met at 10 o'clock a. m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present:

Aikin.	Newton.
Beck.	Oneal.
Brownlee.	Pace.
Burns.	Rawlings.
Collie.	Redditt.
Cotten.	Roberts.
Head.	Shivers.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Westerfeld.
Moore.	Winfield.
Neal.	Woodruff.
Nelson.	

The following Senators were absent and excused:

Davis.	Spears.
Small.	Weinert.

A quorum was announced present.

The invocation was offered by the Chaplain.

Reading of the Journal of the proceedings of yesterday was dispensed with, on motion of Senator Roberts.

Leaves of Absence Granted.

Senator Weinert was granted leave of absence for today, on account of important business, on motion of Senator Holbrook.

Senator Small was granted leave of absence for today, on account of illness, on motion of Senator Moore.

Senator Davis was granted leave of absence for yesterday and today, on account of illness, on motion of Senator Woodruff.

Senator Nelson was granted leave of absence for today, on account of important business, on motion of Senator Cotten.

Reports of Standing Committees.

Reports on Senate Bills Nos. 306, 353, 343, 322, 336, 282, 113, 370, 390, 391, 45, 411, 368, 206 and 304, on House Bills Nos. 586 and 120, on H. C. R. No. 22 and on S. J. R. No. 14 were submitted by the chairmen of the several committees to which they were referred. (See appendix for reports in full.)

House Bill No. 432 on Second Reading.

(Special Order.)

The President laid before the Senate, as a special order for this hour, on its second reading and passage to third reading:

H. B. No 432, A bill to be entitled "An Act amending Article I of Acts 1935, Forty-fourth Legislature, Second Called Session, page 1795, Chapter 467, known as the Texas Liquor Control Act, by adding thereto a new section to be known as Section 50; authorizing search warrant to issue for the purpose of searching for and seizing and disposing of intoxicating liquors under certain circumstances and prescribing the rules relative thereto, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill No. 432 on Third Reading.

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 432 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—23.

Aikin.	Neal.
Beck.	Newton.
Brownlee.	Oneal.
Burns.	Pace.
Collie.	Rawlings.
Cotten.	Redditt.
Head.	Roberts.
Hill.	Shivers.
Holbrook.	Van Zandt.
Isbell.	Winfield.
Lemens.	Woodruff.
Moore.	

Nays—1.

Westerfeld.

Absent.

Stone.	Sulak.
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Absent—Excused.

Davis.	Spears.
Nelson.	Weinert.
Small.	

The President laid H. B. No. 432 before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24.

Aikin.	Neal.
Beck.	Newton.
Brownlee.	Oneal.
Burns.	Pace.
Collie.	Rawlings.
Cotten.	Redditt.
Head.	Roberts.
Hill.	Shivers.
Holbrook.	Van Zandt.
Isbell.	Westerfeld.
Lemens.	Winfield.
Moore.	Woodruff.

Absent.

Stone.	Sulak.
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Absent—Excused.

Davis.	Spears.
Nelson.	Weinert.
Small.	

House Concurrent Resolution No. 14.

The President laid before the Senate for consideration at this time: H. C. R. No. 14, Requesting certain donations be made for the relief of the flood-stricken areas in certain States.

The resolution was adopted.

House Bill No. 165 on Second Reading.

The President laid before the Senate, on its second reading and passage to third reading:

H. B. No. 165, A bill to be entitled "An Act amending Article 1645, Revised Civil Statutes of Texas, 1925, as amended by Chapter 15, Acts of the Forty-second Legislature, Second Called Session, giving additional authority to the commissioners' court in certain counties relative to the compensation or salary to be paid county auditors in such counties, and declaring an emergency."

The bill was read second time.

On motion of Senator Westerfeld, the bill was tabled subject to call.

House Bill No. 22 on Second Reading.

Senator Holbrook moved that Senate Rule No. 106 be suspended to permit consideration by the Senate of H. B. No. 22 at this time.

The motion prevailed by the following vote:

Yeas—26.

Aikin.	Newton.
Beck.	Oneal.
Brownlee.	Pace.
Burns.	Rawlings.
Collie.	Redditt.
Cotten.	Roberts.
Head.	Shivers.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Westerfeld.
Moore.	Winfield.
Neal.	Woodruff.

Absent—Excused.

Davis.	Spears.
Nelson.	Weinert.
Small.	

The President laid before the Senate, on its second reading and passage to third reading:

H. B. No. 22, A bill to be entitled "An Act to amend Chapter 3 of the Acts of the Regular Session of the Thirty-ninth Legislature, the same being an Act entitled: 'An Act to aid the City of Galveston in elevating and raising said City so as to protect it from calamitous overflows by donating and granting to it the State ad valorem taxes and a part of the occupation and poll taxes collected on property and from persons in Galveston County for a period of ten years, and to provide a penalty for their misapplication,' by extending the provision of said Act for a period of five years from September 1, 1938, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill No. 22 on Third Reading.

Senator Holbrook moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 22 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26.

Aikin.	Burns.
Beck.	Collie.
Brownlee.	Cotten.

Head.	Rawlings.
Hill.	Redditt.
Holbrook.	Roberts.
Isbell.	Shivers.
Lemens.	Sulak.
Moore.	Van Zandt.
Neal.	Weinert.
Newton.	Westerfeld.
Oneal.	Winfield.
Pace.	Woodruff.

Absent.

Stone.

Absent—Excused.

Davis.	Small.
Nelson.	Spears.

The President laid H. B. No. 22 before the Senate, on its third reading and final passage.

The bill was read third time and was passed.

Committee Substitute for House Bill No. 167 on Second Reading.

The President laid before the Senate, on its second reading and passage to third reading:

C. S. for H. B. No. 167, A bill to be entitled "An Act to provide for the licensing of certain persons connected with race tracks; providing for residential requirements; prohibiting the employment of any person, by the Texas Racing Commission, who has a financial interest in any horse entered under the supervision of the Commission; providing authority to deny and revoke licenses; making certain exceptions; defining governing officials; providing penalties; providing a saving clause; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time.

On motion of Senator Rawlings, the bill was tabled subject to call.

House Bill No. 293 on Second Reading.

The President laid before the Senate, on its second reading and passage to third reading:

H. B. No. 293, A bill to be entitled "An Act to amend Article 3875 (5898), Title 60, Revised Civil Statutes of the State of Texas, 1925, to provide for the use of funds collected under this title for research and research facilities relating to the ad-

ministration of the Feeding Stuff Law and for other purposes, and declaring an emergency."

The bill was read second time.

On motion of Senator Stone, the bill was tabled subject to call.

House Bill No. 150 on Second Reading.

The President laid before the Senate, on its second reading and passage to third reading:

H. B. No. 150, A bill to be entitled "An Act authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to lease for oil and/or gas and/or sulphur and/or other mineral development all lands under its control; authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to invest funds accruing from the lease or sale of oil and/or gas and/or sulphur and/or other minerals; prescribing the mode and manner of said oil and/or gas and/or sulphur and/or other mineral leases on said land; providing for setting up any funds accruing as a permanent fund and appropriating the income therefrom; providing certain restrictions therein; making an appropriation to defray the expenses of said Board in executing the provisions of this Act, and declaring an emergency."

The bill was read second time.

Senator Stone offered the following (committee) amendments to the bill:

(1)

Amend H. B. No. 150, page 1, line 5 by striking out the words "used for experiment stations" and by striking out in line 5 of Section 1 after the word "lands" the following: "used for experimental stations," and by striking out in line 5, page 2 after the word "lands" the following: "used for experimental stations."

(2)

Amend H. B. No. 150, Section I, line 2 by striking out the following after the word Texas: "with the approval and consent of the Attorney General and the General Land Commissioner."

(3)

Amend H. B. No. 150, page 2, Section I by inserting after the word "acquired" the following:

"and for such other purposes as the Board of Directors of the Agricultural and Mechanical College of Texas may deem proper."

(Senator Head in the Chair.)

The (committee) amendment (1) was adopted.

(President in the Chair.)

On motion of Senator Shivers the (committee) amendment (2) was tabled.

Senator Redditt moved to table the (committee) amendment (3) subject to call.

The motion prevailed.

Senator Oneal offered the following amendment to the bill:

Amend H. B. No. 150 by striking out subdivision "(e)" of Section 8.

The amendment was adopted.

Senator Redditt offered the following amendment to the bill:

Amend H. B. No. 150 by striking out the last sentence of Section 1 and substituting in lieu thereof the following:

The funds derived from leases and oil developments provided herein shall be deposited with the State Treasurer of the State of Texas to the credit of the General Fund and shall be appropriated as the legislature may direct.

BECK,
REDDITT.

Senator Lemens offered the following substitute for the amendment:

Amend H. B. No. 150, page 1, line 53, by striking out the words: "or other sound securities," and substituting in lieu thereof the following: "or such other bonds and/or other securities as may be approved for the investment of the funds arising under the provisions of this law by the Banking Commissioner of Texas."

Senator Redditt raised the point of order: That the substitute is not germane to the amendment.

The President sustained the point of order.

Question recurring on the amendment of Senator Redditt, yeas and nays were demanded.

The roll was called on the adoption of the amendment, and the vote announced, yeas 12, nays 12. The President voted yea, and the amendment was adopted by the following vote:

Yeas—13.

Mr. President	Redditt.
Beck.	Roberts.
Burns.	Sulak.
Cotten.	Van Zandt.
Hill.	Westerfeld.
Isbell.	Woodruff.
Pace.	

Nays—12.

Aikin.	Newton.
Collie.	Oneal.
Head.	Rawlings.
Holbrook.	Shivers.
Lemens.	Stone.
Neal.	Winfield.

Present—Not Voting.

Brownlee.

Absent.

Moore.

Absent—Excused.

Davis.	Spears.
Nelson.	Weinert.
Small.	

Senator Oneal offered the following amendment to the bill:

Amend H. B. No. 150 by striking out of last sentence of first paragraph of Section 7 the words:

"Unless extended as hereinafter provided."

The amendment was adopted.

Senator Burns offered the following amendment to the bill:

Amend H. B. No. 150 by adding a new section at an appropriate place, as follows:

"Section —. That Sections 11 and 14 of Chapter 13, Acts Fourth Called Session of the Forty-first Legislature of the State of Texas be and each is hereby amended so as to hereafter read respectively as follows:

"Sec. 11. Royalty as stipulated in the sale shall be paid to the General Land Office at Austin, Texas, for the benefit of the Texas Prison System on or before the 20th day of each succeeding months for the preceding month during the life of the rights purchased and it shall be oc-

accompanied by the sworn statement of the owner, manager or other authorized agent showing the gross amount of oil produced and saved since the last report and the amount of gas produced and sold off the premises and the market value of the oil and gas, together with a copy of all daily gauges of tanks, gas meter readings, pipe line receipts, gas line receipts and other checks and memoranda of the amounts produced and put into pipe lines, tanks or pools and gas lines or gas storage. The books and accounts and all bids, receipts and discharges of all wells, tank, pools, meters, pipe lines and all contracts and other records pertaining to the production, transportation, sale and marketing of the oil and/or gas shall at all times be on file in the General Land Office and be subject to inspection and examination by the Commissioner of the General Land Office, the Attorney General, the Governor or any member of the State Prison Board."

Sec. 14. All surveys, files records, copies of sale and lease contracts and all other records pertaining to the sales and leases hereby authorized shall be filed in the General Land Office and constitute archives thereof. Payment hereunder shall be made to the Commissioner of the General Land Office at Austin, Texas, who shall transmit to the State Treasurer all the money received from royalties, bonuses, rentals from the sale of oil and gas and shall deposit to the credit of a special fund to be known as "The Texas Prison System Special Fund for Permanent Improvements," and all rentals for delay in drilling and all other payments including all filing assignments and relinquishment fees hereunder to be deposited with the State Treasurer to the credit of said special fund; the special fund to be used for the purpose of building, constructing permanent improvements on said prison properties and for buying land within or adjacent to said prison properties and for buying land within or adjacent to said prison farms, but said money, when and if it reaches the sum of Seven Hundred Thousand (\$700,000.00) Dollars, shall after that date be placed to the credit of the general fund of the State of Texas, but in no event shall the Texas Prison Board expend said fund ex-

cept upon the same being appropriated by the Legislature."

Senator Shivers raised the point of order: That the amendment is not germane to the subject matter of the bill.

The President overruled the point of order.

(Senator Woodruff in the Chair.)

Question recurred on the amendment by Senator Burns.

(President in the Chair.)

Message From the House.

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas, March 3, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 200, A bill to be entitled "An Act providing for the installation of signal units on State highways outside of incorporated cities and towns, regulating the crossing of such highways at places where such units are installed by vehicles and pedestrians, fixing a penalty and declaring an emergency."

S. B. No. 219, A bill to be entitled "An Act creating a more efficient special road law for Van Zandt County, Texas, and declaring an emergency."

S. B. No. 374, A bill to be entitled "An Act to amend Subsection (d) of Section 19 of Senate Bill No. 5, Forty-fourth Legislature, First Called Session, Acts 1935, Chapter 465, and to include therein provision for compensation of county commissioners in counties having a population in excess of 355,000 inhabitants, according to the last preceding or any future Federal Census, and for compensation of judges of the County Court at Law and County Court at Law No. 2 of Harris County, Texas, and declaring an emergency."

(With amendments.)

The House has concurred in Senate amendments to H. B. No. 56 by a vote of 123 yeas, 2 nays.

The House has concurred in Sen-

ate amendments to H. B. No. 218 by a viva voce vote.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Senate Bill No. 374 With House Amendments.

Senator Moore called up S. B. No. 374 from the President's table for consideration of the House amendments to the bill.

The President laid the bill before the Senate, and the House amendments were read.

Senator Moore moved that the Senate concur in the House amendments.

The motion to concur prevailed by the following vote:

Yeas—26.

Aikin.	Newton.
Beck.	Oneal.
Brownlee.	Pace.
Burns.	Rawlings.
Collie.	Redditt.
Cotten.	Roberts.
Head.	Shivers.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Westerfeld.
Moore.	Winfield.
Neal.	Woodruff.

Absent—Excused.

Davis.	Spears.
Nelson.	Weinert.
Small.	

Bills Signed.

The President signed in the presence of the Senate, after giving due notice thereof, the following enrolled bills:

S. B. No. 219, "An Act creating a more efficient special road law for Van Zandt County, Texas."

S. B. No. 200, "An Act providing for the installation of signal units on State highways outside of incorporated cities and towns, regulating the crossing of such highways at places where such units are installed by vehicles and pedestrians, fixing a penalty and declaring an emergency."

Senate Bill No. 414 on First Reading.

Senator Moore moved that the rule limiting the introduction of bills during the Regular Session of the Legislature be suspended, to permit the introduction of a general bill by himself at this time.

The motion prevailed by the following vote:

Yeas—26.

Aikin.	Newton.
Beck.	Oneal.
Brownlee.	Pace.
Burns.	Rawlings.
Collie.	Redditt.
Cotten.	Roberts.
Head.	Shivers.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Westerfeld.
Moore.	Winfield.
Neal.	Woodruff.

Absent—Excused.

Davis.	Spears.
Nelson.	Weinert.
Small.	

The following bill was then introduced, read first time and referred by the President to the Committee on Educational Affairs:

By Senator Moore:

S. B. No. 414, A bill to be entitled "An Act validating certain Independent and Junior College School Districts and tax assessments and tax levies in such districts; and creating an emergency."

Senate Bills Nos. 359 and 74.

Senator Hill moved that Senate Rule No. 106, limiting the consideration of bills during the regular session, be suspended, to permit consideration by the Senate of S. B. No. 359 during the first sixty days of the session.

On motion of Senator Redditt, the motion of Senator Hill was amended to include the suspension of the rule so as to allow also consideration by the Senate of S. B. No. 74 during the first sixty days of the session.

The motion of Senator Hill as amended prevailed by the following vote:

Yeas—26.

Aikin.	Newton.
Beck.	Oneal.
Brownlee.	Pace.
Burns.	Rawlings.
Collie.	Redditt.
Cotten.	Roberts.
Head.	Shivers.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Westerfeld.
Moore.	Winfield.
Neal.	Woodruff.

Absent—Excused.

Davis.	Spears.
Nelson.	Weinert.
Small.	

Adjournment.

On motion of Senator Hill, the Senate, at 12:05 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

Reports of Standing Committees.

Committee Room,
Austin, Texas, March 2, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 282, A bill to be entitled "An Act to amend Article 7256, Revised Civil Statutes of Texas, 1925, as amended by Section 1, Chapter 16, Acts of the First Called Session of the Forty-third Legislature, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PACE, Chairman.

Committee Room,
Austin, Texas, March 2, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We your Committee on State Affairs, to whom was referred

S. B. No. 322, A bill to be entitled "An Act granting to Tom J. Taylor of Burnet County, Texas, the right, or permission, to bring suit against the State of Texas and/or the State Highway Department, in any Court

of competent jurisdiction in Travis County, Texas and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

PACE, Chairman.

Committee Room,
Austin, Texas, March 2, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 336, A bill to be entitled "An Act to amend Section 16, Article 3902, Revised Civil Statutes 1925, as amended by Chapter 465, action of the Second Called Session, Forty-fourth Legislature."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PACE, Chairman.

Committee Room,
Austin, Texas, March 2, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 306, A bill to be entitled "An Act supplemental to and amending Article 6341, Revised Civil Statutes of Texas, 1925, relating to the powers of railroad corporations, enlarging their charter powers, and empowering them to transport persons, property, goods, wares, merchandise, mail, and any valuable thing by highway, air, pipe line, and water, repealing all laws or parts of laws in conflict; providing if any part is declared unconstitutional, such decision shall not affect the remainder of the Act, and creating an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PACE, Chairman.

Committee Room,
Austin, Texas, March 2, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 353, A bill to be entitled "An Act granting aid to the property in and inhabitants of Newton County, Texas, and to Newton County made necessary by reason of calamitous overflows, floods, and storms, which cause great destruction of property, and menacing of life; remitting, releasing, granting and donating to the property in and inhabitants of said county, and to Newton County, all State ad valorem taxes for general revenue purposes levied or to be levied on property in said county, including the rolling stock of railroads and three-fourths of the State occupation taxes, for the years 1937 to 1947, both inclusive; providing how such remitted, released, granted and donated taxes may be used and providing that if any part of this Act be held unconstitutional it shall not affect any other part of this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PACE, Chairman.

Committee Room,
Austin, Texas, March 2, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 343, A bill to be entitled "An Act to amend Section 14 of Chapter 282, S. B. No. 82, Acts of the Regular Session, Forty-first Legislature; to amend Sections 4, 5, 7, 8 and 18, Chapter 282, S. B. No. 82, Acts of the Regular Session, Forty-first Legislature as amended by Chapter 174, S. B. No. 279, Acts of the Regular Session of the Forty-second Legislature; to repeal Section 6 of Chapter 282, S. B. No. 82, Acts of the Regular Session, Forty-first Legislature, as amended by Chapter 174, S. B. No. 279, Acts of the Regular Session of the Forty-second Legislature; providing for the public sale of oil and gas in and on University lands by the Board for lease of University lands and providing for the expense of said sales; validating lease extension contracts heretofore made; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the

recommendation that it do pass and be printed.

PACE, Chairman.

Committee Room,
Austin, Texas, March 2, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. C. R. No. 22, Granting permission to George Wieland, his heirs or assigns, to sue the State of Texas and the Agricultural and Mechanical College of the State of Texas, suit to be brought in Travis County, growing out of the construction of a dissecting laboratory and Stable "D" of the Veterinary Group of buildings for the Agricultural College.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with Committee Amendments Nos. 1 and 2, and be not printed.

PACE, Chairman.

Committee Amendment No. 1.

Amend H. C. R. No. 22 by striking out the following words: "without the execution of bond" after the word "appeal" in line 12, page 2 of the said resolution and by striking out the following: "shall be paid by the Agricultural and Mechanical College of Texas out of its building fund." In line 15 of page 2.

Committee Amendment No. 2.

Amend H. C. R. No. 22 by adding the following:

"It is further provided as a prerequisite to the filing of any suit authorized by this resolution, that the said George Wieland shall enter into a good and sufficient bond to be approved by the Clerk of the Court in which the suit is filed, indemnifying the State of Texas and the Agricultural and Mechanical College of Texas, for the payment of all costs that may be adjudged against the said George Wieland in the trial of said suit."

Committee Room,
Austin, Texas, March 2, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Labor, to whom was referred

H. B. No. 586, A bill to be entitled "An Act to amend the subject matter embraced in Section 3, Section 4, Section 7, Section 13, and Section 19, of Chapter 482, Acts of the Forty-fourth Legislature, Third Called Session, and adding a new Section to be known as Section 17-A authorizing the Commission to make reciprocal arrangements with other states and the Federal Government with respect to wages earned and benefits accumulated by employees in other states, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back, with committee amendment, to the Senate with the recommendation that it do pass and be not printed.

SHIVERS, Chairman.

Committee Room,
Austin, Texas, March 2, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 206, A bill to be entitled "An Act to amend Chapter 6 of the Penal Code of the State of Texas by adding another Section to be known as Article 654-a, making it unlawful for any person to operate a lottery known as "Policy," of any lottery operating on similar principle; providing that the purchaser of any ticket participating in said lottery shall not be held to be an accomplice or witness in any trial; placing the venue for prosecution of violations in the District Court of Travis County, Texas, and providing that the grand jury of said county may summon and examine witnesses and return indictments into the District Court of Travis County; making it the duty of the Ranger force to make investigations of violations of this Act and submit proof; prescribing penalties; and declaring an emergency."

STONE, Chairman.

Committee Amendment No. 1.

Amend S. B. No. 206 by striking out all of Section 3 and Section 4 of said bill, and inserting in lieu thereof a new Section to read as follows:

"It shall be the duty of the Ranger force of this State to make investigations of any violation of this Act and submit reports and proof of such

violations to the grand jury of the county where the offense is committed."

Committee Amendment No. 2.

Amend the caption of S. B. No. 206 to conform with the body of the bill.

Committee Room,
Austin, Texas, March 2, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 120, A bill to be entitled "An Act amending Article 802, Penal Code of Texas, 1925, as amended by Chapter 424, Acts First Called Session, Forty-fourth Legislature, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

STONE, Chairman.

Committee Room,
Austin, Texas, March 3, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

S. B. No. 304, A bill to be entitled "An Act to provide for the care, safekeeping, and custody of securities in which the sinking funds for the redemption and payment of outstanding bonds of any county of more than 190,000 population, or a navigation district in counties of more than 190,000 population, may have been invested by the legally authorized governing body thereof; providing for the audit thereof, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

NEAL, Vice-Chairman.

Committee Room,
Austin, Texas, March 1, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 14, A joint resolution proposing an amendment to the Constitution of the State of Texas by amending Article 8 by adding "Section 59" providing the Legislature shall be vested with the power to and directed to exempt from all ad valorem taxes certain mills and manufacturers for seven years after their establishment within the State of Texas; providing for an election on the question of adoption or rejection of such amendment, providing for the necessary proclamation and publication by the Governor and making an appropriation to defray expenses of proclamation, publication and election.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Committee Room,

Austin, Texas, March 1, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 370, A bill to be entitled "An Act amending Article 2870 of the Revised Civil Statutes of the State of Texas of 1925, repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COTTEN, Chairman.

Committee Room,

Austin, Texas, March 1, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 113, A bill to be entitled "An Act to amend Chapter 209 of the Acts of the Regular Session of the Forty-third Legislature so as to define the rights and duties of the State Board of Education to exact of school districts and cities and towns which have assumed control of public schools located therein the performance of certain prescribed duties in instances wherein all or any part of the bonds of such districts,

cities or towns are owned by the permanent school fund; prescribing the duties of such districts, cities and towns and the rights of bondholders in such instances; prescribing the duties of the Comptroller of Public Accounts in reference thereto; providing for suspension of payments of available and rural aid school funds to such districts, cities and towns as are delinquent; conferring on the State Board of Education authority to cause the resumption of such payments in the manner herein prescribed; conferring on the State Board of Education discretion as to application of moneys remitted for bond purposes; declaring this Act to be cumulative; providing that to the extent that the provisions of this Act are in conflict with other laws, the provisions of this Act shall prevail; providing that in event any sentence, clause or provision contained herein shall be invalid, such partial invalidity shall not affect other provisions of this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COTTEN, Chairman.

Committee Room,

Austin, Texas, March 1, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 368, A bill to be entitled "An Act providing for a new article to the Civil Statutes of the State of Texas and to be known as Article 2879a providing for the method, manner, and time of depositing fees collected by the State Superintendent of Public Instruction under the provisions of Article 2879 of the Revised Civil Statutes of the State of Texas; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COTTEN, Chairman.

Committee Room,

Austin, Texas, March 3, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on

Counties and County Boundaries, to whom was referred

S. B. No. 411, A bill to be entitled "An Act to repeal S. B. No. 148, Chapter 307, General Laws, Regular Session of the Forty-second Legislature, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

NEAL, Vice-Chairman.

Committee Room,

Austin, Texas, March 1, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 45, A bill to be entitled "An Act providing a school census code for the State of Texas; amending Article 2816 of the Revised Civil Statutes of Texas of 1925, relating to the taking of census; amending Article 2817 of the Revised Civil Statutes of Texas of 1925, relating to the duty of census trustee; amending Article 2818 of the Revised Civil Statutes of Texas of 1925, as amended by the Forty-second Legislature, Second Called Session, Chapter 24, relating to county line districts; amending Article 2819 of the Revised Civil Statutes of Texas of 1925, relating to duty of county superintendent; amending Article 2820 of the Revised Civil Statutes of Texas of 1925, relating to duty of State Superintendent; amending Article 2821 of the Revised Civil Statutes of Texas of 1925, relating to compensation; amending Article 2696 of the Revised Civil Statutes of Texas of 1925, as amended by the Forty-fourth Legislature, Regular Session, Acts of 1935, relating to application to transfer; amending Article 2698 of the Revised Civil Statutes of Texas of 1925 and as amended by the Forty-second Legislature, First Called Session, Chapter 37, Acts of 1931, relating to emergency transfer; repealing Article 2822 of the Revised Civil Statutes of Texas of 1925, relating to independent districts and appointment of census trustees; repealing Article 2817a of the Revised Civil Statutes of Texas of 1925, Acts of the Forty-second Legislature,

1931, Regular Session, Chapter 33, relating to who shall make oath; providing for birth certificates and annual growth; providing for transfers in equalization districts; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendments and be printed.

COTTEN, Chairman.

Committee Room,

Austin, Texas, March 1, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 391, A bill to be entitled "An Act amending Article 2827, Revised Civil Statutes of Texas, 1925, as amended by Chapter 9, Acts of the Forty-third Legislature, Fourth Called Session, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COTTEN, Chairman.

Committee Room,

Austin, Texas, March 1, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 390, A bill to be entitled "An Act amending Article 2831, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COTTEN, Chairman.

Committee Room,

Austin, Texas, March 2, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 193 carefully examined and compared and find same correctly engrossed.

ROBERTS, Chairman.

Committee Room,
Austin, Texas, March 3, 1937.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on En-
rolled Bills, have had S. B. No. 200
carefully examined and compared
and find same correctly enrolled.

WESTERFELD, Chairman.

Committee Room,
Austin, Texas, March 3, 1937.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on En-
rolled Bills, have had S. B. No. 219
carefully examined and compared
and find same correctly enrolled.

WESTERFELD, Chairman.

THIRTY-THIRD DAY.

(Thursday, March 4, 1937)

The Senate met at 10 o'clock a.
m., pursuant to adjournment, and
was called to order by President
Woodul.

The roll was called.

The President announced that
there was not a quorum present.

Senator Holbrook moved a call of
the Senate for the purpose of se-
curing and maintaining a quorum,
and the motion was duly seconded
and a call of the Senate ordered.

Senators Lemens, Nelson, Cotten,
Beck, Shivers, Westerfeld, Newton
and Winfield appeared in the Senate
Chamber and were recorded present.

The roll call then revealed the
following Senators were present:

Aikin.	Newton.
Beck.	Oneal.
Brownlee.	Pace.
Burns.	Rawlings.
Collie.	Redditt.
Cotten.	Roberts.
Head.	Shivers.
Hill.	Stone.
Holbrook.	Sulak.
Ishell.	Van Zandt.
Lemens.	Westerfeld.
Moore.	Winfield.
Neal.	Woodruff.
Nelson.	

The following Senators were ab-
sent and excused:

Davis.	Spears.
Small.	Weinert.

A quorum was announced present.
The invocation was offered by the
Chaplain.

Reading of the Journal of the pro-
ceedings of yesterday was dispensed
with, on motion of Senator Aikin.

Leaves of Absence Granted.

Senator Davis was granted leave
of absence for today and tomorrow
on account of illness, on motion of
Senator Woodruff.

Senator Small was granted leave
of absence for today, on account of
important business, on motion of
Senator Moore.

Senator Weinert, was granted
leave of absence for today on ac-
count of important business, on mo-
tion of Senator Holbrook.

Address Ordered Printed.

On motion of Senator Holbrook, it
was ordered that the address of Hon.
Tom Connally delivered to the Joint
Session of the Legislature on March
2, 1937, be printed as a supplement
to today's Journal and that 250 extra
copies of the supplement be printed.

Reports of Standing Committees.

Reports on Senate Bills Nos. 91,
61, 402, 298, 323 and 415, and on
H. B. No. 321 were submitted by the
chairmen of the several committees
to which they were referred. (See
appendix for reports in full.)

Senate Bill No. 415 on First Reading.

Senator Redditt moved that the
rule limiting the introduction of bills
during the Regular Session of the
Legislature be suspended, to permit
the introduction of a general bill by
himself at this time.

The motion prevailed by the fol-
lowing vote:

Yeas—25.

Aikin.	Brownlee.
Beck.	Burns.